

The Honorable David G. Estudillo

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AARON WILLIAMS, on behalf of himself and all others similarly situated,

Plaintiff,

V.

PILLPACK LLC.

Defendant.

No. 3:19-cv-05282-DGE

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS, VACATE
CASE SCHEDULE, AND REQUEST
FOR STATUS HEARING PENDING
MEDIATION (DKT. NO. 331)**

**NOTE ON MOTION CALENDAR:
MARCH 6, 2024**

I. STIPULATION

The parties respectfully advise the Court they have agreed to seek to resolve this case through mediation. The parties believe it is in the interests of their respective clients and of judicial economy to (i) stay proceedings for four months or until mediation is complete, whichever is earlier, and (ii) vacate the trial date and pretrial deadlines, to be reset if the parties' settlement efforts do not succeed. Therefore, the parties respectfully stipulate to, and jointly request that the Court enter, the proposed Order below staying these proceedings and vacating the trial date and remaining pretrial deadlines set forth in the current case schedule. The parties further jointly request to schedule a status hearing pursuant to the Court's direction in the last scheduling order, Dkt. 298, if the Court would find that necessary to rule on the parties' request.

STIPULATED MOTION TO STAY
PROCEEDINGS PENDING MEDIATION - 1
(No. 3:19-cv-05282-DGE)
4868-8270-5834v.6 0051461-002463

1 1. Federal Rule of Civil Procedure 16(b) provides that a district court's scheduling
2 order may be modified upon a showing of "good cause." *See also Zivkovic v. S. Cal. Edison Co.*,
3 302 F.3d 1080, 1087 (9th Cir. 2002). Here, good cause exists to modify the schedule to allow
4 the parties time to conduct a mediation and to focus their efforts on settlement rather than on
5 potentially unnecessary further litigation.

6 2. This case is nearing the close of fact discovery. If the schedule is not stayed, the
7 parties anticipate expending significant resources on completing fact discovery (including at
8 least two depositions scheduled to occur in the next 30 days), raising discovery disputes with the
9 Court with respect to which they are in the process of meeting and conferring, and preparing
10 dispositive motions.

11 3. The parties agree and believe that both parties' interests, and the interests of
12 judicial economy and efficiency, will be served by mediating this case before incurring the time
13 and expense of engaging in additional discovery or preparing dispositive motions.

14 4. The parties have selected a mediator. The parties understand the mediator is not
15 available until June 2024, but will work to schedule the mediation as expeditiously as possible.

16 For these reasons, the parties have shown good cause for the Court to stay further
17 proceedings in this case and to vacate all unexpired case deadlines pending mediation. The
18 parties propose that they file a Joint Status Report within seven (7) days of filing this Stipulation
19 to inform the Court of the date of the mediation, and that they file a further Joint Status Report
20 within seven (7) days after mediation advising on the status of their settlement efforts and
21 proposing how this matter will proceed.

1 STIPULATED TO AND SUBMITTED this 6th day of March, 2024.
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II. ORDER

Having considered the parties' Stipulation and for good cause shown, the Court adopts the parties' Stipulation as the Order of the Court in this matter. Further proceedings in this case are stayed for four months or until mediation is complete, whichever is earlier, and all unexpired case deadlines are vacated pending mediation. The parties shall file a Joint Status Report within seven (7) days of the date they filed their Stipulation to inform the Court of the name of the mediator and the date of the mediation. The parties shall file another Joint Status Report within seven (7) days after mediation advising on the status of their settlement efforts and proposing how this matter will proceed.

The Court hereby STRIKES the parties' pending stipulated motion to send supplemental class notice (Dkt. No. 328). Should it become necessary, the parties may refile the motion at a later date.

It is so ORDERED.

Dated this 13th day of March 2024.

David G. Estudillo
United States District Judge